

normal, wherein the high-speed data channel is an EDGE-modulated traffic channel”, as recited in independent claim 6 and its dependent claims.

Similarly, Mazur fails to disclose, teach or suggest a method comprising, among other things, defining “certain transmission powers as a normal transmission power;...alternately transmitting time slots at a transmission power higher than normal, using at least two different transceivers to minimize heat build-up in the transceivers; and placing a high-speed data channel in a time slot to be transmitted at a higher transmission power than normal, wherein the high-speed data channel is an EDGE-modulated GPRS packet data traffic channel”, as recited in independent claim 7 and its dependent claims.

Furthermore, Mazur fails to disclose, teach or suggest a base station system wherein “certain transmission powers being defined as a normal transmission power in the control part;...wherein the control part is arranged to direct the switching field to alternately transmit time slots at a transmission power higher than normal, using two different transceivers to minimize heat build-up in the transceivers, wherein the control part is arranged to place a high-speed data channel in a time slot at a higher transmission power than normal, and wherein the high-speed data channel is an EDGE-modulated traffic channel” as recited in claim 15 and its dependent claims.

Likewise, Mazur fails to disclose, teach or suggest a base station system wherein “certain transmission powers being defined as a normal transmission power in the control part;...wherein the control part is arranged to direct the switching field to alternately transmit time slots at a transmission power higher than normal, using two different transceivers to minimize heat build-up in the transceivers, wherein the control part is arranged to place a high-speed data channel in a time slot at a higher transmission power than normal, and wherein the high-speed data channel is an EDGE-modulated GPRS packet data traffic channel,” as recited in claim 16 and its dependent claims.

Mazur merely discloses an apparatus and a method for reducing performance degradation in systems that apply downlink temporal or spatial control introduced on a per-time slot. (*See* col. 3, lines 35-41). Mazur discloses, in FIG. 5, that different power levels of communication signal bursts are transmitted during consecutive time slots. However, Mazur fails to teach or suggest defining certain transmission powers as a normal transmission power. Contrary to what is asserted by the Office Action, Mazur fails to disclose that power P3 has any special significance and is representative of or defined as a normal transmission power. Mazur merely discloses that power P1, P2 and P3 are power levels at which time slots may be transmitted. (*See* col. 8, lines 46-67).

Furthermore, Mazur fails to teach or suggest alternately transmitting time slots at a transmission power higher than normal, using at least two different transceivers to minimize heat build-up in the transceivers. Mazur makes no mention about minimizing heat build-up in the transceivers. Applicant notes that the Office Action has failed to establish where such a feature is disclosed in Mazur.

In addition, Mazur fails to teach or suggest placing a high-speed data channel in a time slot to be transmitted at a higher transmission power than normal, where the high-speed data channel is an EDGE-modulated traffic channel or an EDGE-modulated GPRS packet data traffic channel. In Mazur, an EDGE traffic channel is not placed in a time slot to be transmitted at higher power. Furthermore, in Mazur, the transmission power is not associated with the EDGE data channel. Mazur merely discloses a system that uses transmitter diversity and in which the transmission power is altered. For at least this reason, claims 2-4, 6-9, 11-13 and 15-18 are patentable over Mazur.

Accordingly, reconsideration and withdrawal of the rejection of claims 2-4, 6-9, 11-13 and 15-18 under 35 U.S.C. §102(e) based on Salmela are respectfully requested.

The rejection having been addressed, Applicant requests issuance of a notice of allowance indicating the allowability of all pending claims. If anything further is necessary to place the application in condition for allowance, Applicant requests that the Examiner contact Applicant's undersigned representative at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP


CHRISTINE H. MCCARTHY

Reg. No. 41844

Tel. No. 703.905.2143

Fax No. 703.905.2500

CHM/CFL
P.O. Box 10500
McLean, VA 22102
(703) 905-2000